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REMARKS

Claims 1, 9, 26, 32-34, 42, 60, 66 and 67 are amended herein. Upon entry of this amendment, claims 1-67 will be pending in the above-identified application.

Section 112

Applicant requests reconsideration of the rejection of claims 9, 26, 32, 33, 42, 60, 66, and 67 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Each of the particularly identified claims has been amended to overcome the Section 112 rejections. Accordingly, Applicant requests the Section 112 rejections be withdrawn.

Section 101

Applicant requests reconsideration of the rejection of claims 1-33 under 35 U.S.C. § 101. The claims have been amended as suggested by the examiner. Thus, Applicant requests the Section 101 rejection be withdrawn.

Section 102 - claims 1, 5, 6, 10-14 and 18-23

Applicant requests reconsideration of the rejection of claims 1, 5, 6, 10-14 and 18-23 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,775,585 (Bedont).

Each of the subject claims recites a computer-implemented method of creating a sketch-based eggcrate substructure for manufacturing composite parts, said method comprising: creating an input computer model from a plurality of inputs; and launching a batch job of said created input computer model, said batch job being adapted to automatically create a computer model of an eggcrate substructure from the input computer model. As those skilled in the art understand, an eggcrate substructure is a particular type of structure comprising plates arranged to define open cells such as illustrated in Figs. 20B, 20D, 20F, 20H, 20J, 20L, and 20N. Bedont does not disclose or suggest a method capable of producing such a structure. Thus, Bedont fails to disclose

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or suggest launching a batch job that automatically creates a computer model of an eggcrate substructure from an input computer model as recited in each claim. Because Bedont fails to disclose a method having each element recited in the claims, the claims are not anticipated by the cited reference. Accordingly, Applicant requests the Section 102 rejection be withdrawn.

<u>Section 102 - claims 34, 38, 39, 43-47, 51, 52 and 54-57</u>

Applicant requests reconsideration of the rejection of claims 34, 38, 39, 43-47, 51, 52 and 54-57 under 35 U.S.C. § 102(e) as being anticipated by Bedont.

Each of the subject claims recites apparatus for creating a sketch-based eggcrate substructure for manufacturing composite parts, said apparatus comprising: means for creating an input computer model from a plurality of inputs; and means for launching a batch job of said created input computer model, <u>said batch job being adapted to automatically create a computer model of an eggcrate substructure from the input computer model</u>. As explained above, an eggcrate substructure is a particular type of structure comprising plates arranged to define open cells. Bedont does not disclose or suggest apparatus producing such a structure. Thus, Bedont fails to disclose or suggest means for launching a batch job as recited in each claim. Because Bedont fails to disclose a method having each element recited in the claims, the claims are not anticipated by the cited reference. Accordingly, Applicant requests the Section 102 rejection be withdrawn.

<u>Section 103 - claims 2-4, 24-26 and 32</u>

Applicant requests reconsideration of the rejection of claims 2-4, 24-26 and 32 under 35 U.S.C. § 103 as being unpatentable over Bedont in view of U.S. Patent No. 4,697,240 (Cedar). The Office Action fails to state a reason why one of ordinary skill in the art would be motivated to combine Cedar with Bedont. Rather, an unsupported conclusory statement is made that it would be obvious to combine the references. This statement is insufficient to make a *prima facie* case of obviousness. Because a *prima facie* case has not been made, Applicant is not obligated to respond to

the rejection. Further, if the rejection is maintained In the next Office Action, support must be provided and the action must be made non-final to provide Applicant an opportunity to respond.

Bedont discloses a computer program that is used to input information to a CAD/CAM software program that generates drawings, 3-D models and machine codes. Cedar discloses a method of generating an actual eggcrate structure with an offset surface for producing a clay model from an actual master model. There is no motivation for combining these references. Further, even if one were to combine these references, they would not disclose or suggest the step of launching a batch job of a created input computer model wherein the batch job automatically creates a computer model of an eggcrate substructure from the input computer model as required by the claims. Thus, every element recited in the claims is not found in the combined references. Accordingly, the Section 103 rejection is improper and should be withdrawn.

Section 103 - claims 35-37, 58-60 and 66

Applicant requests reconsideration of the rejection of claims 35-37, 58-60 and 66 under 35 U.S.C. § 103 as being unpatentable over Bedont in view of Cedar. As discussed above, the Office Action fails to provide a reason why one of ordinary skill in the art would be motivated to combine Cedar with Bedont. Therefore, a *prima facie* case has not been made, and Applicant is not obligated to respond to the rejection. Further, if the rejection is maintained in the next Office Action, support must be provided and the action must be made non-final to provide Applicant an opportunity to respond.

As also discussed above, there is no motivation for combining the references. If the references were combined, the combined references would not disclose or suggest means for launching a batch job of a created input computer model wherein the batch job automatically creates a computer model of an eggcrate substructure from the input computer model as required by the claims. Thus, every element recited in the claims is not found in the combined references. Accordingly, the Section 103 rejection is improper and should be withdrawn.

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Section 103 - claims 15-17

Applicant requests reconsideration of the rejection of claims 15-17 under 35 U.S.C. § 103 as being unpatentable over Bedont in view of U.S. Patent No. 6,675,059 (Scott). The Office Action fails to provide a reason why one of ordinary skill in the art would be motivated to combine Scott with Bedont. Therefore, a *prima facie* case has not been made, and Applicant is not obligated to respond to the rejection. If the rejection is maintained in the next Office Action, support must be provided and the action must be made non-final to provide Applicant an opportunity to respond.

Although the Office Action provides no motivation to combine, if one were to combine the references, the combined references would not disclose or suggest the step of launching a batch job of a created input computer model wherein the batch job automatically creates a computer model of an eggcrate substructure from the input computer model as required by the claims. Thus, every element recited in the claims is not found in the combined references. Accordingly, the Section 103 rejection is improper and should be withdrawn.

Section 103 - claims 48-50

Applicant requests reconsideration of the rejection of claims 48-50 under 35 U.S.C. § 103 as being unpatentable over Bedont in view of Scott. The Office Action fails to provide a reason why one of ordinary skill in the art would be motivated to combine Scott with Bedont. Therefore, a *prima facie* case has not been made, and Applicant is not obligated to respond to the rejection. If the rejection is maintained in the next Office Action, support must be provided and the action must be made non-final to provide Applicant an opportunity to respond.

Although the Office Action provides no motivation to combine, if one were to combine the references, the combined references would not disclose or suggest means for launching a batch job of a created input computer model wherein the batch job automatically creates a computer model of an eggcrate substructure from the input computer model as required by the claims. Thus, every element recited in the claims is

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not found in the combined references.   Accordingly, the Section 103 rejection is improper and should be withdrawn.

Section 103 - claims 7-9

Applicant requests reconsideration of the rejection of claims 7-9 under 35 U.S.C. § 103 as being unpatentable over Bedont in view of U.S. Patent No. 5,321,835 (Tanaka). The Office Action fails to provide a reason why one of ordinary skill in the art would be motivated to combine Tanaka with Bedont. Therefore, a *prima facie* case has not been made, and Applicant is not obligated to respond to the rejection.   If the rejection is maintained in the next Office Action, support must be provided and the action must be made non-final to provide Applicant an opportunity to respond.

Although the Office Action provides no motivation to combine, if one were to combine the references, the combined references would not disclose or suggest the step of launching a batch job of a created input computer model wherein the batch job automatically creates a computer model of an eggcrate substructure from the input computer model as required by the claims. Thus, every element recited in the claims is not found in the combined references.   Accordingly, the Section 103 rejection is improper and should be withdrawn.

Section 103 - claims 40-42

Applicant requests reconsideration of the rejection of claims 40-42 under 35 U.S.C. § 103 as being unpatentable over Bedont in view of U.S. Patent No. 5,321,835 (Tanaka). The Office Action fails to provide a reason why one of ordinary skill in the art would be motivated to combine Tanaka with Bedont. Therefore, a *prima facie* case has not been made, and Applicant is not obligated to respond to the rejection. If the rejection is maintained in the next Office Action, support must be provided and the action must be made non-final to provide Applicant an opportunity to respond.

Although the Office Action provides no motivation to combine, if one were to combine the references, the combined references would not disclose or suggest

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means for launching a batch job of a created input computer model wherein the batch job automatically creates a computer model of an eggcrate substructure from the input computer model as required by the claims. Thus, every element recited in the claims is not found in the combined references. Accordingly, the Section 103 rejection is improper and should be withdrawn.

Section 103 - claims 27-31 and 33

Applicant requests reconsideration of the rejection of claims 27-31 and 33 under 35 U.S.C. § 103 as being unpatentable over Bedont in view of U.S. Patent No. 5,701,403 (Watanabe). The Office Action fails to provide a reason why one of ordinary skill in the art would be motivated to combine Watanabe with Bedont. Therefore, a *prima facie* case has not been made, and Applicant is not obligated to respond to the rejection. If the rejection is maintained in the next Office Action, support must be provided and the action must be made non-final to provide Applicant an opportunity to respond.

Although the Office Action provides no motivation to combine, if one were to combine the references, the combined references would not disclose or suggest the step of launching a batch job of a created input computer model wherein the batch job automatically creates a computer model of an eggcrate substructure from the input computer model as required by the claims. Thus, every element recited in the claims is not found in the combined references. Accordingly, the Section 103 rejection is improper and should be withdrawn.

Section 103 - claims 53, 61-65 and 67

Applicant requests reconsideration of the rejection of claims 53, 61-65 and 67 under 35 U.S.C. § 103 as being unpatentable over Bedont in view of U.S. Patent No. 5,701,403 (Watanabe). The Office Action fails to provide a reason why one of ordinary skill in the art would be motivated to combine Watanabe with Bedont. Therefore, a *prima facie* case has not been made, and Applicant is not obligated to respond to the rejection. If the rejection is maintained in the next Office Action, support must be

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provided and the action must be made non-final to provide Applicant an opportunity to respond.

Although the Office Action provides no motivation to combine, if one were to combine the references, the combined references would not disclose or suggest means for launching a batch job of a created input computer model wherein the batch job automatically creates a computer model of an eggcrate substructure from the input computer model as required by the claims. Thus, every element recited in the claims is not found in the combined references. Accordingly, the Section 103 rejection is improper and should be withdrawn.

Conclusion

If the Examiner believes that there is any issue which could be resolved by an interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.
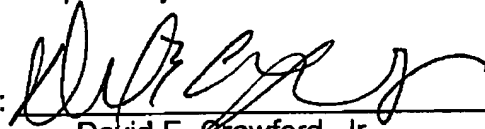
The Commissioner is hereby authorized to credit overpayments or to charge any deficiency in connection with this filing to Deposit Account No. 19-3140.

As it is believed that application is in condition for allowance, a favorable action and Notice of Allowance are respectfully requested.

Respectfully submitted,

Dated: June 20, 2005   By: _____
                                David E. Crawford, Jr.
                                Registration No. 38,118
                                Customer No. 26263